IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.488 OF 2004
IN
WRIT PETITION NO.1635 OF 1993

Shreeram R.Patel .. Petitioner
V/s
The Municipal Corporation of
Gr.Bombay .. Respondents
And
The State of Maharashtra .. Proposed Respondent
And
Shri.Shirsat, the Officer of
Proposed Respondent .. Addl.Respondent

Mr.M.V.Holamagi for the Petitioner.

Mrs.N.V.Sanglikar for Respondent No.1.

Ms.S.M.Dandekar, AGP for State.

CORAM: S.RADHAKRISHNAN &
S.J.VAZIFDAR, JJ.
DATE : 29.9.2004.

P.C.:

1. Heard the learned Counsel for the parties. By this Notice of Motion the Petitioner is seeking to recall our order dated 19.8.2004 whereby the Petition was dismissed in default.

2. Perused the affidavit in support of the Notice of Motion. For the reasons stated therein, sufficient cause is shown for recalling of the order dated 19.8.2004 and for restoring the Petition. There is no case of inaction, negligence or want of bonafide on the part of the Petitioner. Under these circumstances,

Notice of Motion is made absolute in terms of prayer clause (a). Place the petition on board for final hearing on 18.10.2004.

(S.RADHAKRISHNAN,J.)

(S.J.VAZIFDAR,J.)